



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 31, 2025

BY ECF

Hon. Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States of America v. LabQ Clinical Diagnostics, LLC, et al.*
No. 22 Civ. 751 (LJL), No. 22 Civ. 10313 (LJL)

Dear Judge Liman:

This Office represents the United States in this False Claims Act case. We write respectfully to inform the Court that the Government intends to oppose Defendants' motion for an extension of time to complete discovery, Dkt. No. 665. In violation of this Court's Individual Practices, Defendants filed their extension request on the day that the discovery was due and without first obtaining the Government's position and providing it to the Court.¹ The Government respectfully requests that the Court set a deadline for the Government to file its opposition by tomorrow: August 1, 2025.

In their motion, Defendants request an extension on the purported basis that they are "without the ability to pay" outstanding invoices for their email server vendor, and that "access to their servers will not be restored until payment of \$36,162.38 is made." Dkt. No. 665 at 1. In the Government's opposition, we intend to use Defendants' own bank records to demonstrate that last month, *after* the Government filed its motion for sanctions, Defendants continued to transfer away funds to other entities controlled by defendant Moshe Landau, in violation of this Court's August 2024 Order. These and other wrongfully transferred funds could have been used to pay Defendants' outstanding invoices for their email server and fulfill Defendants' discovery obligations. The Government requests a deadline of tomorrow so that the Government can adequately prepare its response, including by organizing the relevant financial evidence for the Court's review.

¹ At approximately 8:17 pm yesterday, Defendants' counsel emailed Government counsel and informed the Government that it would be seeking the extension. Later that evening, Defendants filed their extension request with the Court.

We thank the Court for its consideration of this request

Respectfully submitted,

JAY CLAYTON
United States Attorney for the
Southern District of New York

By: /s/ Charles S. Jacob
RACHAEL DOUD
LAWRENCE H. FOGELMAN
CHARLES S. JACOB
MOLLIE KORNREICH
DANIELLE J. MARRYSHOW
Assistant United States Attorneys
86 Chambers Street, 3rd Floor
New York, NY 10007
Telephone: (212) 637-2800
Email: rachael.doud@usdoj.gov
lawrence.fogelman@usdoj.gov
charles.jacob@usdoj.gov
mollie.kornreich@usdoj.gov
danielle.marryshow@usdoj.gov

cc: Counsel of Record (by ECF)